ORDINANCE NO. 2

Series, 1955

AN ORDINANCE OROVIDING FOR A FORM OF AGREEMENT BY AND BETWEEN THE CITY OF ELGIN, UNION COUNTY, OREGON, AND THE STATE OF OREGON ACT* ING BY AND THROUGH ITS STATE HIGHWAY COMMISSION, FOR THE IMPROVEMENT OF NORTH TENTH AVENUE FROM A POINT 12 feet NORTH OF DIVISION STREET TO A POINT 250 feet NORTH OF GALVESTON STREET, A DISTANCE OF APPROXIMATELY 0.49 MILE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Elgin, Union County, Oregon has heretofore made application to the Oregon State Highway Commission for assistance in repairing or reconstructing that certain street in the City of Elgin, Union County, Oregon, more particularly described as follows: North Tenth Avenue from a point 12 feet north of Division Street to a point 250 feet north of Galveston Street, a distance of approximately 0.49 mile, under the provisions of ORS 366.800 and 366.805, and

WHEREAS, the said Oregon State Highway Commission has accepted such application for the repair and reconstructing of the hereinabove described street, and

WHEREAS, in the form of agreement prepared by the Oregon State Highway Commission, a copy of which, marked "Exhibit A", is attached hereto and by this reference made a part hereof as though set forth fully herein, the Oregon State Highway Commission has agreed to pay the cost of the hereinabove described project to improve, not to exceed Fifteen Thousand and no/100 ($15,000.00) Dollars, and the City of Elgin, Union County, Oregon to pay all cost of said project in excess of the said sum of Fifteen Thousand and no/100 ($15,000.00) Dollars,

THE CITY OF ELGIN ORDAINS AS FOLLOWS:

Section 1. That the certain form of agreement hereinabove referred to be entered into by the City of Elgin, Union County, Oregon, and the State of Oregon, acting by and through the Oregon State Highway Commission, providing for the improvement of North Tenth Avenue as hereinabove described, and that said agreement is hereby approved and accepted as submitted;

Section 2. That the Mayor and City Recorder of said City be and they are hereby authorized and directed to execute said agreement in triplicate and deliver such executed agreement to the Oregon State Highway Commission for execution by said Commission;

Section 3. That, whereas, it is necessary that said improvement project be initiated in the spring or summer of 1955 due to weather conditions; and, whereas, the Oregon State Highway Commission cannot award a contract for said improvement project until said agreement has been executed by the Mayor and City Recorder of said City, thereby involving the peace, health, and welfare of the people of said City, an emeregency is declared to exist and this Ordinance shall take effect on the date of its passage by the Council and its approval by the Mayor.

PASSED this 25 day of March, 1955, by 5 Councilmen voting therefor.

APPROVED this 26 day of March, 1955.

Attested and filed this 26 day of March, 1955

G P Miller
CITY RECORDER

MAYOR